

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04 CV 10746 JLT

IVAN SANTIAGO,
Plaintiff

v.

WILLIAM J. FEENEY and
MARCUS EDDINGS,
Defendants

DEFENDANT WILLIAM FEENEY'S MOTION FOR SUMMARY JUDGMENT

Defendant Sergeant Detective William Feeney respectfully requests that this Honorable Court grant summary judgment in his favor as to Counts I and II of the Plaintiff's Complaint, pursuant to Fed. R. Civ. P. 56(b). As grounds for his motion, there is no theory of supervisory liability for which Sgt. Feeney can be held liable.

In support of his Motion, Sgt. Feeney submits the attached Memorandum of Law and Local Rule 56.1 Statement of Facts and Supporting Exhibits.

Respectfully submitted,

DEFENDANTS WILLIAM J. FEENEY
William F. Sinnott
Corporation Counsel

By his attorneys:

/s/ Thomas Donohue
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Dated: November 2, 2006

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

Pursuant to L.R. D. Mass. 7.1(A)(2), I hereby certify that on November 1, 2006, as counsel for the Defendant, I communicated with Stephen Hrones, counsel for the plaintiff, regarding the above motion but we were unable to narrow the issue.

/s/ Thomas Donohue
Thomas Donohue

CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system and will therefore be sent electronically to the registered participants as identified on the Notice of Electric Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 2, 2006.

/s/ Thomas Donohue
Thomas Donohue